IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1939 of 2005

VIRENDRA KUMAR ALIAS VISHNU & ORS.
V/S
PANCHARATNA CONS.CO.PVT.LTD. & ORS.

Mr. RAJAT DAVE, for the appellant / petitioner

Date of Order : 21.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Perused the impugned order.

It is contended by the learned counsel for the petitioner that it is not a case of withdrawing admission but is only correction of typographical mistake as would be clear from the other pleadings taken in the additional plea in the written statement. It is contended that the other amendment is to add the plea about want of readiness and willingness on the part of the plaintiff to perform his part of the contract. In my view, since the case is at the fag end now, I am not inclined to interfere with the impugned order at this stage in my writ jurisdiction.

The writ petition is, therefore, dismissed summarily. However, it will be open to the petitioner to

assail the correctness, legality or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised.

(N P GUPTA),J.

/sushil/